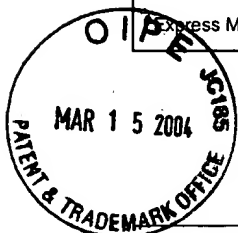


2673  
#12



Express Mail Label No. EL 99406 8032 45 Dated: 03-15-04

Docket No.: 03158/000J019-US0  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Hsien-Ying CHOU

Application No.: 09/767,955

Filed: January 24, 2001

For: AUTO-IMPROVING DISPLAY FLICKER  
METHOD

Confirmation No.: 2789

Art Unit: 2673

Examiner: Nitin Patel

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**REQUEST UNDER 37 C.F.R. §1.181 TO WITHDRAW THE HOLDING  
OF ABANDONMENT OF THE ABOVE-REFERENCED APPLICATION**

MS Non Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A review of the Patent Application Information Retrieval System (PAIR) reveals that a Notice of Allowance was mailed on November 4, 2003. Based on the non-receipt of the Notice of Allowance which set a date of February 4, 2004 upon which to pay the Issue Fee, Applicant respectfully asserts that for the following reasons, the Withdrawing of the Holding of Abandonment is in order.

1. A Final Office Action was mailed to the office of the undersigned on August 14, 2003, indicating that claims 15-20 were allowed. A copy of the Final Office Action is enclosed as **Exhibit A**.

2. In response to the Final Office Action, Applicant prepared and filed an After Final Response on September 30, 2003, where all finally rejected claims were cancelled from the application. A copy of the After Final Response is enclosed as **Exhibit B**. Also enclosed as

**Exhibit C** is a copy of Applicant's postcard indicating that the After Final Amendment was received on September 30, 2003. A search of the PAIR system indicates that a Notice of Allowance was mailed on November 4, 2003, theoretically setting a date for payment of the Issue Fee of February 4, 2004. A copy of the PAIR page for the above-referenced application is enclosed as **Exhibit D**.

3. To date, Applicant has not received a copy of the Notice of Allowance. A check of the records indicates that the correspondence address that is on record with the Patent and Trademark Office is the present address of the undersigned.

4. As a result of non-receipt of the Notice of Allowance, the above-referenced application became technically abandoned as of February 4, 2004, for failure to pay the required Issue Fee.

A search of the file jacket and docket records indicates that the Notice of Allowance was not received. Non-receipt of this Notice is evidenced by non-entry of the Notice in the Incoming Docketing Book (IDB) (Exhibit E). Had the Notice been received at the undersigned's office it would have been entered in the IDB on the page corresponding to February 4, 2004. **Exhibit E** is a true copy of the IDB for February 4, 2004, with client names and numbers redacted. U.S. patent application serial numbers and client matter numbers are clearly readable and as evidenced by Exhibit E, there is no entry for the present application (Serial No. 09/767,955) or its corresponding Client Matter No. 03158/000J019-US0.

Based on the foregoing, Applicant respectfully maintains that the mailing system suffered a lapse by which the timely and guaranteed receipt of mail was disrupted. Based on this, Applicant has been deprived of a full and fair opportunity to respond by paying the required issue fee on or before the February 4, 2004 date. Applicant respectfully maintains that the establishment of a new statutory period for responding to the Notice of Allowance and Issue Fee due is in order, and a notice to this effect is respectfully solicited.

In view of the foregoing remarks, this application should be in condition for allowance. Early passage of this case to issue is respectfully requested. However, if there are any questions

regarding this Response, or the application in general, a telephone call to the undersigned would be appreciated since this would expedite the prosecution of the application for all concerned.

Dated: March 15, 2004

Respectfully submitted,

By 

Alphonse A. Collins

Registration No.: 43,559

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorney For Applicant



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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,955	01/24/2001	Hsien-Ying Chou	3158/0J019	2789

7590 08/14/2003  
YA- CHIAO CHANG  
805 THIRD AVENUE  
NEW YORK, NY 10022

*FINAL*  
DUE: *November 14, 2003*  
Docketed on *8/26* by *DP* for  
Docketed without file ☐  
Attorney *MVC*

EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 08/14/2003

*9*  
*2-14-04*

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/767,955

Applicant(s)

CHOU, HSIEN-YING

Examiner

Nitin Patel

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 2-4,8-10 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-20 is/are allowed.
- 6) ☒ Claim(s) 1,5-7 and 11-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

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## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
3. Claims 1,5,6,7,11-14 is rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al., (U.S. Patent No. 5,771,030).

As per claim 1, Suzuki shows an auto-improving display flicker method Detecting the display flicker level and producing a detection voltage; comparing the detection voltage with a predetermined voltage and automatically switching to a predetermined display flicker processing technique if the detection voltage is greater than the predetermined voltage (In abstract and In col.4 and 5) and a comparator for comparing the detection voltage with a predetermined voltage and outputting a switch control signal when the detection voltage value is greater

Art Unit: 2673

than the predetermined voltage value (In Fig.1) and video and timing control unit for switching the switch control signal into a predetermined display flicker processing (In fig.1 element 28)

As per claims 5,14 Suzuki shows a liquid crystal display is selected as the display (In Col.3 lines 50-64).

As per claim 7,Suzuki shows a band pass filter and a rectifier (In fig.1).

As per claims 11-13 Suzuki shows voltage is inputted by an adjustable device, which is an n active device, and passive device (In fig.1).

#### ***Allowable Subject Matter***

Claims 15-20 are allowed.

#### ***Response to Arguments***

Applicant's arguments filed on 06/02/2003 have been fully considered but they are not persuasive. Examiner would like to point out the broad based limitation as claimed in independent claims and rejected with prior art.

#### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2673

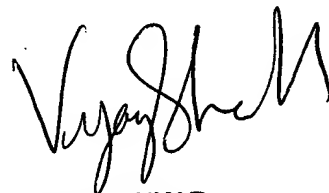
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9618.

NP  
August 11, 2003

  
**VIJAY SHANKAR**  
**PRIMARY EXAMINER**



**Atty Docket No.:** 03158/000J019-US0

**Inventor:** Hsien-Ying Chou

**Appln:** 09/767,955

**Filed:** Jan. 24, 2001

**Title:** AUTO-IMPROVING DISPLAY FLICKER METHOD

**Documents:**

Amendment After Final Action (37 C.F.R. Section 1.116) (5 pages);  
Amendment Transmittal (1 page); and Return postcard

**Via:** Express Mail: Airbill No.

**Sender Initials:** AAC/pv **Date:** September 30, 2003

8V982101436-05

DBP

Application No. (if known): 09/767,955.


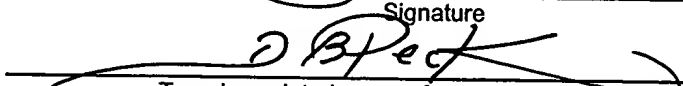
Attorney Docket No.: 03158/000J019-US0

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on September 30, 2003  
Date

  
\_\_\_\_\_  
Signature  
  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Amendment After Final Action (37 C.F.R. Section 1.116); (5) *ppr*
2. Amendment Transmittal; and
3. Return Postcard

<b>AMENDMENT TRANSMITTAL LETTER</b>			<b>Docket No.</b> 03158/000J019-US0
<b>Application No.</b> 09/767,955	<b>Filing Date</b> January 24, 2001	<b>Examiner</b> Nitin Patel	<b>Art Unit</b> 2673

Applicant(s): Hsien-Ying Chou
-------------------------------

Invention: AUTO-IMPROVING DISPLAY FLICKER METHOD	RECEIVED MAR 22 2004
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MAR 22 2004

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The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	6	- 20 =		x	0.00
Independent Claims	2	- 4 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>0.00</b>

☐ Small Entity

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ Credit any overpayment.

Alphonso A. Collins  
Attorney Reg. No.: 43,559

Dated: September 30, 2003

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**Dated:** \_\_\_\_\_

Express Mail Label No.

Dated: \_\_\_\_\_

Docket No.: 03158/000J019-USO  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hsien-Yen Chou

Application No.: 09/767,955

Art Unit: 2673

Filed: January 24, 2001

Examiner: Nitin Patel

For: AUTO-IMPROVING DISPLAY FLICKER  
METHOD

**AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 14, 2003 (Paper No. 9), finally rejecting claims 1,5-7 and 11-14 please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

**AMENDMENTS TO THE CLAIMS**

1. (canceled).
2. (canceled).
3. (canceled).
4. (canceled).
5. (canceled).
6. (canceled).
7. (canceled).
8. (canceled).
9. (canceled).
10. (canceled).
11. (canceled).
12. (canceled).
13. (canceled).
14. (canceled).
15. (Previously Presented) A method for auto-improving display flicker, comprising the steps of:
  - detecting a level of display flicker and producing a detection voltage;
  - comparing the detection voltage with a predetermined voltage; and

automatically switching to a predetermined display flicker processing technique if the detection voltage is greater than the predetermined voltage,

wherein the predetermined display flicker processing technique is one, other than currently used, selected from the group of dot inversion, line inversion, column inversion, n line inversion and n column inversion.

16. (Previously Presented) The method of Claim 15, wherein a magnitude of the detection voltage is varied depending on the predetermined display flicker processing technique to be selected.

17. (Previously Presented) The method of Claim 15, wherein the magnitude of the predetermined voltage is adjustable according to the predetermined display flicker processing technique to be selected.

18. (Previously Presented) A system for auto-improving display flicker, comprising:

a display circuit for supplying a signal pattern;

a display detecting device for detecting the signal pattern and outputting a detection voltage;

a comparator for comparing the detection voltage with a predetermined voltage value and outputting a switch control signal when a value of the detection voltage is greater than the predetermined voltage value; and

a video and timing control signal into a predetermined display flicker processing technique,

wherein the predetermined display flicker processing technique is one, other than currently used, selected from the group of dot inversion, line inversion, column inversion, n lines inversion and n columns inversion.

19. (Previously Presented) The system of Claim 18, wherein the magnitude of the detection voltage is varied depending on the predetermined display flicker processing technique to be selected.

20. (Previously Presented) The system of Claim 18, wherein the magnitude of the predetermined voltage is adjustable according to the predetermined display flicker processing technique to be selected.

**REMARKS**

Applicant acknowledges the allowance of claims 15-20. Claims 1, 5-7, and 11-14 have canceled. No new matter has been added by way of this amendment. Reconsideration of the application is respectfully requested.

Based on the foregoing amendments and remarks, this application should be in condition for allowance. Early passage of this case to issue is respectfully requested. However, if there are any questions regarding this Response, or the application in general, a telephone call to the undersigned would be appreciated since this would expedite the prosecution of the application for all concerned.

Dated: September 30, 2003

Respectfully submitted,

By 

Alphonso A. Collins

Registration No.: 43,559

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant



Atty Docket No.: 03158/000J019-US0

Inventor: Hsien-Ying Chou

Appln: 09/767,955

Filed: Jan. 24, 2001

Title: AUTO-IMPROVING DISPLAY FLICKER METHOD

**Documents:**

Amendment After Final Action (37 C.F.R. Section 1.116) (8 pages);  
Amendment Transmittal (1 page); and Return postcard



SV982101436-US

Via: Express Mail: Airbill No.

Sender Initials: AAC/pv Date: September 30, 2003

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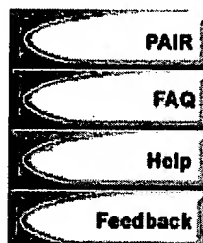
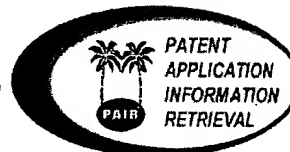
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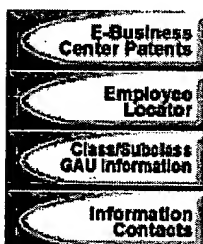
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## PATENT APPLICATION INFORMATION RETRIEVAL



### Other Links



Search results for application number:09/767,955			
Application Number:	09/767,955	Customer Number:	-
Filing or 371(c) Date:	01-24-2001	Status:	Notice of Allowance Mailed Application Received in Offi Publications
Application Type:	Utility	Status Date:	11-05-2003
Examiner Name:	PATEL, NITIN	Location:	PUBS - FILE MAINTENANCE FACILITY, BAILEYS X-RD, 3 6789
Group Art Unit:	2673	Location Date:	12-05-2003
Confirmation Number:	2789	Earliest Publication No:	US 2002-0053999 A1
Attorney Docket Number:	3158/OJ019	Earliest Publication Date:	05-09-2002
Class/ Sub-Class:	345/204	Patent Number:	-
First Named Inventor:	Hsien-Ying Chou, Hsinchu, (TW)	Issue Date of Patent:	-
Title Of Invention:	AUTO-IMPROVING DISPLAY FLICKER METHOD		

PTA History

Continuity Data

Published Document

File Contents History		
Number	Date	Contents Description
32	12-05-2003	Receipt into Pubs
31	11-05-2003	Workflow - File Sent to Contractor
30	11-05-2003	Receipt into Pubs
29	11-04-2003	Dispatch to Publications
28	11-04-2003	Mail Notice of Allowance
27	11-04-2003	Mail Formal Drawings Required
26	11-03-2003	Formal Drawings Required
25	11-03-2003	Notice of Allowance Data Verification Completed
24	11-03-2003	Notice of Allowability
23	10-18-2003	Date Forwarded to Examiner
22	09-30-2003	Amendment after Final Rejection
21	08-14-2003	Mail Final Rejection (PTOL - 326)
20	08-11-2003	Final Rejection
19	06-09-2003	Date Forwarded to Examiner
18	06-02-2003	Response after Non-Final Action

17	03-13-2003	Mail Non-Final Rejection
16	03-10-2003	Non-Final Rejection
15	01-07-2003	Date Forwarded to Examiner
14	12-31-2002	Response after Non-Final Action
13	10-02-2002	Mail Non-Final Rejection
12	09-30-2002	Non-Final Rejection
11	08-19-2002	Case Docketed to Examiner in GAU
10	06-07-2001	Change in Power of Attorney (May Include Associate POA)
9	05-21-2001	Request for Foreign Priority (Priority Papers May Be Included)
8	06-07-2001	Correspondence Address Change
7	06-07-2001	Change in Power of Attorney (May Include Associate POA)
6	04-11-2001	Case Docketed to Examiner in GAU
5	03-27-2001	Transfer Inquiry
4	03-06-2001	Application Dispatched from OIPE
3	03-02-2001	Correspondence Address Change
2	02-08-2001	IFW Scan & PACR Auto Security Review
1	01-24-2001	Initial Exam Team nn

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3-17-04

2673

Application No. 09/767,955:

Attorney Docket No.: 03158/000J019-US0

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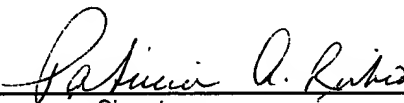
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on March 15, 2004  
Date

  
Signature

Patricia A. Rubio  
Typed or printed name of person signing Certificate

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Request under 37 CFR 1.181 to Withdraw the Holding of Abandonment of  
the Above-Referenced Application (3 pages)  
Certificate of Express Mail (1 page); and  
Return Postcard.  
Exhibits A-E

11/12/03

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~~AXN~~  
~~EFS~~  
~~AXN~~  
~~DC~~  
~~MB~~  
~~PEE~~  
~~HS~~  
~~SPL~~  
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~~JPL~~  
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~~KK~~  
~~JRR~~  
~~SPL~~

~~11K254US2~~ ~~Conventus Eye~~  
~~36339 1404~~ ~~Notified State~~  
~~13J316 38154~~ ~~Start of Use~~  
~~409,058~~ ~~Start of Use~~ ~~Abd CLT 1/16~~  
~~13K456~~ ~~211,198~~ ~~Six Months~~ ~~11/03~~  
~~136,827 129,107~~ ~~Start of Use~~ ~~15 Range CLT 2/4~~  
~~10K474~~ ~~NOTIFY CLT~~ ~~Non Prov.~~  
~~11L446US1~~ ~~440,516~~ ~~Late decl 85~~  
~~10K199 033,043~~ ~~Re Post~~ ~~Rep +5~~ ~~9/2/03~~  
~~10K301 094,503~~ ~~Post~~ ~~Rep +5~~ ~~9/3/03~~  
~~114072US1~~ ~~731,287~~ ~~Six Months~~ ~~10/15/03~~  
~~102681 197,240~~ ~~Six Months~~ ~~2/4/04~~  
~~11K057031~~ ~~377,168~~ ~~SED~~ ~~10/15/03~~  
~~784,272~~ ~~Six Months~~ ~~New O/A~~  
~~1K962051~~ ~~189,203~~ ~~Six Months~~ ~~10/15/04~~  
~~10M029~~ ~~245,824~~ ~~Six Months~~ ~~10/16~~  
~~12007996~~ ~~US02/35299~~ ~~Written Opn~~  
~~13200065~~ ~~093,238~~ ~~Start of Use~~ ~~10/16~~  
~~10001238~~ ~~Target funding date~~  
~~1100K673~~ ~~US2~~ ~~Target File Date~~  
~~0200859~~ ~~File Appn.~~ ~~2/4/04~~ ~~23/04~~

REDACTED

~~SPL~~  
~~AFB~~  
~~GFJ~~  
~~JPL~~  
~~AGG~~  
~~JBL~~

~~1000L707~~ ~~205,726~~ ~~Issue Fee~~ ~~Publ 1~~ ~~12/30/03~~  
~~1000L548~~ ~~177,261~~ ~~Issue Fee~~ ~~Publ 1~~ ~~12/30/03~~  
~~1000L99701~~ ~~037,743~~ ~~Issue Fee~~ ~~Publ 1~~ ~~12/30/03~~  
~~1000L996~~ ~~238,843~~ ~~Issue Fee~~ ~~Publ 1~~ ~~12/30/03~~  
~~1000L690~~ ~~202,448~~ ~~IF~~ ~~Publ 1~~ ~~1/30/04~~  
~~1000J291~~ ~~863,102~~ ~~IF~~ ~~Publ 1~~ ~~1/29/04~~



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590  
YA- CHIAO CHANG  
805 THIRD AVENUE  
NEW YORK, NY 10022

11/04/2003

EXAMINER

PATEL, NITIN

ART UNIT

PAPER NUMBER

2673

DATE MAILED: 11/04/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,955	01/24/2001	Hsien-Ying Chou	3158/0J019	2789

TITLE OF INVENTION: AUTO-IMPROVING DISPLAY FLICKER METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	-\$1630	02/04/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

*Mail & Return*



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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,955	01/24/2001	Hsien-Ying Chou	3158/0J019	2789

7590 11/04/2003  
YA- CHIAO CHANG  
805 THIRD AVENUE  
NEW YORK, NY 10022

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Technology Center 2600

EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 11/04/2003

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 192 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 192 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

# **PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. B x 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

or **Fax**

**(703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS** (Note: Legibly mark-up with any corrections or use Block 1)

7590

11/04/2003

**YA- CHIAO CHANG  
805 THIRD AVENUE  
NEW YORK, NY 10022**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,955	01/24/2001	Hsien-Ying Chou	3158/UJ019	2789

**TITLE OF INVENTION:** AUTO-IMPROVING DISPLAY FLICKER METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	02/04/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
PATEL, NITIN	2673	345-204000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.** SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMIT THIS FORM WITH FEE(S)**





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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,955	01/24/2001	Hsien-Ying Chou	3158/U019	2789

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11/04/2003

EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 11/04/2003

## Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

### Section 1.18 Patent post allowance (including issue) fees.

- (a) Issue fee for issuing each original or reissue patent, except a design or plant patent:
- By a small entity (Sec. 1.27(a))..... \$665.00
  - By other than a small entity..... \$1,330.00
- (b) Issue fee for issuing a design patent:
- By a small entity (Sec. 1.27(a))..... \$240.00
  - By other than a small entity..... \$480.00
- (c) Issue fee for issuing a plant patent:
- By a small entity (Sec. 1.27(a))..... \$320.00
  - By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

**Notice of Allowability**

Application No.

09/767,955

Examiner

Nitin Patel

Applicant(s)

CHOU, HSIEN-YING

Art Unit

2673

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/30/2003.
2. ☒ The allowed claim(s) is/are 15-20.
3. ☒ The drawings filed on 24 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

**REASON FOR ALLOWANCE**

1. Claims 15-20 are allowed. Claims 1-15 have been cancelled.
2. The following is an examiner's statement of reason for allowance:

The prior art fails to teach or suggest a method for auto improving display flicker having the steps of:

detecting a level of display flicker and producing a detection voltage; comparing the detection voltage with a predetermined voltage and automatically switching to a predetermined display flickers processing technique if the detection voltage is greater than the predetermined voltage, wherein the predetermined display flicker processing technique is one other than currently used; selected from the group of dot inversion, line inversion, column inversion, n line inversion and n column inversion as claimed in claims 15.

And a comparator for comparing the detection voltage with a predetermined voltage value and outputting a switch control signal when a value of the detection voltage is greater than the predetermined voltage value and a video and timing control signal into a predetermined display flicker processing technique, wherein the predetermined display flicker processing technique is one other than currently used, selected from the group of dot inversion, line inversion, column inversion, n line inversion and n column inversion as claimed in claim 18.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2673

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

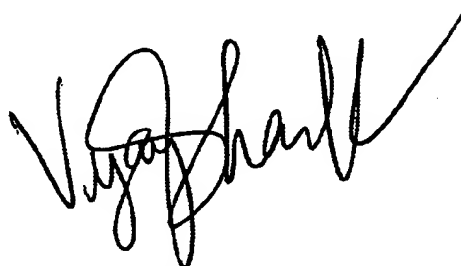
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024.

The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

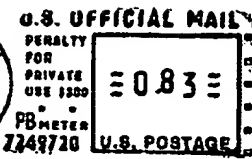
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9618.

NP  
October 30, 2003



**VIJAY SHANKAR  
PRIMARY EXAMINER**

Organization TC2600 Bldg./Room PK2  
U. S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
IF UNDELIVERABLE RETURN IN TEN DAYS



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